MLP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED 08 MAR 17 AM 11:49

UNITED STATES OF AMERICA,	)	Magistrate Case No.
Plaintiff,	)	'08 MJ 0842
	)	COMPLAINT FOR VIOLATION OF:
v.	)	
	)	Title 8, U.S.C., Section 1326;
Dolores Alicia CASTANEDA-Aceves	)	Deported Alien Found in the
AKA: ZARABOZA, Delores	)	United States
	)	
Defendant.	)	

The undersigned complainant, being duly sworn, states:

On or about **December 2, 2007,** within the Southern District of California, defendant, **CASTANEDA-Aceves, Dolores Alicia (AKA: ZARABOZA, Delores)**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Deportation Officer
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **17th** DAY OF **March 2008.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I United States Immigration and Customs Enforcement (ICE), Deportation Officer Gladys Martinez, declare under penalty of perjury the following to be true and correct:

On December 2, 2007, the defendant identified as, **CASTANEDA-Aceves, Dolores Alicia (AKA: ZARABOZA, Delores)**, was stopped by the San Diego, Sheriffs Department, San Marcos, California, for CVC 4000 EXPIRED TAGS, and subsequently arrested for an active warrant. The defendant was booked into County Jail. Once in the custody of county jail, a Special Agent conducted a field interview, determined the defendant to be a citizen of Mexico and placed an Immigration hold (I-247), pending her release from jail.

On March 14, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed form the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant **CASTANEDA-Aceves, Dolores Alicia (AKA: ZARABOZA, Delores)**, has been ordered removed from the United States by an Immigration Judge on or about November 3, 1998 and removed to Mexico, via the Calexico Port of Entry on November 5, 1998. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System IDENT and Automated Fingerprint Identification System IAFIS were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, **CASTANEDA-Aceves, Dolores Alicia (AKA: ZARABOZA, Delores)**, a citizen and national of Mexico.

All information indicates the defendant is a citizen of Mexico having been previously deported from the United States, and has illegally re-entered the United States after deportation, in violation of Tile 8 of the United States Code 1326, Deported Alien found in the United States.

EXECUTED ON THIS **14th** DAY OF **March 2008** AT **6:00 p.m.**

Gladys Martinez
Deportation Officer

On the basis of the facts presented in the Probable Cause Statement consisting of **(1)** pages, I find probable cause to believe that the defendant named therein committed the offense on **March 14, 2008** in violation of Title 8, United States Code, Section 1326.

U.S. MAGISTRATE JUDGE

3/15/08 8:45 AM
DATE / TIME